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Technical assistance and capacity-building

Situation of human rights in Guinea

Report of the United Nations High Commissioner for Human Rights

Summary

In this report, submitted pursuant to Human Rights Council resolution 31/29, the United Nations High Commissioner for Human Rights describes the human rights situation in Guinea in 2016 and makes recommendations to address various human rights problems. He also provides information on the activities of the country office of the High Commissioner for Human Rights in Guinea and the results achieved through the technical assistance provided by the latter.

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I. Introduction

1. In this report, submitted pursuant to Human Rights Council resolution 31/29, the High Commissioner assesses the human rights situation in Guinea in 2016, reviews the activities of the country office of the High Commissioner for Human Rights in Guinea and makes recommendations to the Government and the international community.

II. Main political and economic developments affecting human rights

2. The year 2016 saw numerous political and social upheavals. In February, the two main trade union confederations called a general strike to demand, inter alia, that the Government lower the price of petroleum products and improve the living and working conditions of public sector workers and those working in some public-private companies.

3. Negotiations led to reforms to the public sector classification system and an increase in the salary scale for public sector workers.

4. In March and April, the political parties of the republican opposition coalition, led by the Union des forces démocratiques de Guinée (UFDG), called on citizens to observe "dead town" days of protest so as to force the Government to lower fuel prices.

5. These protests paralysed the public and private sectors in Conakry and led to clashes between law enforcement forces and youths from the suburbs. Several people were injured and around 10 arrests were made during the clashes.

6. In April, the women members of UFDG attempted to organize a peaceful march to demand the release of the party leader's bodyguards, who had been arrested in February as part of the inquiry into the fatal shooting of a journalist working for the private press outside the headquarters of their political movement. The march, which was due to take place in the commune of Kaloum, was first prohibited and then halted by law enforcement on the orders of the Governor of Conakry.

7. In August, the republican opposition organized a peaceful march, inviting its activists and supporters, as well as "all Guinean citizens who love freedom and justice to participate in a peaceful march planned for 16 August in order to express, through their mass presence on public thoroughfares and in public spaces, their rejection of current political, economic and social governance practices". The march was authorized by the authorities and organized in coordination with the Governorate of Conakry and the security forces.

8. Despite the coordination between the march's organizers and the political authorities and security services, there were clashes between protesters and law enforcement officers at the Bambeto roundabout, in the commune of Ratoma. The clashes led to the death of a young male protester and gunshot injuries to three other protesters: a man, a woman and a child.

9. In September, the President met with his main opponent, UFDG leader Mamadou Cellou Dalein Diallo, as part of periodic consultations on matters of national interest. This meeting marked the beginning of a period of political calm. The two political rivals agreed on the need to prioritize dialogue over confrontation in order to safeguard peace and national unity.

10. In September, an inter-Guinean political dialogue between the President's camp and the opposition was launched, with eight items on the agenda: the electoral lists, the

organization of municipal and local elections, the Independent National Electoral Commission, respect for the constitutional principle of the neutrality of the public administration, the identification and prosecution of the perpetrators of the violence committed during opposition protests over the 2013 legislative elections, compensation for the victims of that violence, the establishment of the Supreme Court and the release of arrested and imprisoned persons.

11. As a result of that dialogue, the Presidential camp and the opposition agreed on all of the agenda items and signed a comprehensive agreement intended to bring the crisis to an end. The agreement was signed in the presence of representatives from the international community, including the United Nations, the European Union, the International Organization of la Francophonie, the Economic Community of West African States, the ambassador of the United States of America, the ambassador of France and Guinean civil society, as observers. The conclusion of the agreement, which is to be submitted to the National Assembly for adoption, has defused the political situation and brought an end to the street demonstrations that had become a source of violence and human rights violations.

III. Situation of human rights

A. Violations committed in the context of public protests

12. The right to freedom of peaceful assembly and association is guaranteed by article 20 of the Universal Declaration of Human Rights, article 21 of the International Covenant on Civil and Political Rights and article 10 of the Guinean Constitution.

13. Unlike the previous year, few violent confrontations linked to political demands were observed. However, on 16 August, following a political protest organized by the opposition, a man was killed by a bullet allegedly fired by a police officer from a special mobile intervention unit. The victim was hit in the neck while on the balcony of his apartment. Three other persons were also injured: a 2-year-old child; a woman, who suffered a leg injury; and a 20-year-old man, who was riding a motorcycle at the scene of the incident, which took place in the Bambeto area of Conakry. All of the victims claimed to have been injured by law enforcement. The police officer suspected of firing the shot that caused the death was arrested and placed in detention. The shot was fired when police officers were attempting to prevent a group of youths from barricading the road on their return from the protest.

14. On 19 April, law enforcement agencies in the commune of Kaloum prevented a march by female members of the opposition who were demanding the release of members of the UFGD opposition party who had been placed in pretrial detention following the fatal shooting of a journalist at their party's headquarters. The protesters lodged a complaint of violation of the right to freedom of demonstration against three police officers and gendarmes, who were leading the operations, given that they had met all of the relevant legal requirements.

B. Right to physical and psychological integrity

15. The right to physical and psychological integrity is guaranteed under article 5 of the Universal Declaration of Human Rights, article 7 of the International Covenant on Civil and Political Rights and article 6 of the Guinean Constitution.

16. Respect for the right to physical and psychological integrity by defence and security forces remains a cause for concern, particularly with regard to criminal suspects. The

pursuit of confessions and information often pushes the security forces to use torture and ill-treatment against suspects.

17. In April, staff of the country office followed up two cases of torture committed during questioning and interrogation, one by a mixed unit comprising police officers and gendarmes, and the other by a special mobile intervention unit. In both cases, the units usurped the functions of criminal investigation officers, since their tasks are normally limited to arresting suspects and do not include interrogations. The Ministry of Security and Civil Protection imposed disciplinary measures, including the suspension of 12 officers and agents involved in one of the cases.

18. In March, a joint unit comprising police officers and gendarmes, Crime Squad No. 8, arrested a man on suspicion of theft. Officers from the unit tortured him for three consecutive days to force him to admit his involvement. He was then sent to an investigation department within the gendarmerie, where he spent three days in handcuffs.

19. The country office documented other cases that constituted cruel, inhuman and degrading treatment, recording 26 injured persons, 25 of whom were admitted to medical centres following violence and ill-treatment at the hands of soldiers during an incident in the prefecture of Mali. The victims included three women.

20. During that incident, which took place in June, the commander of an infantry camp in Mali, Moyenne-Guinée, forced a driver to leave his lorry, slapped him and ordered his guard to whip him. In response, the population demanded that the prefect order the commander to leave the prefecture. This was followed by a confrontation during which soldiers made excessive use of lethal weapons by firing live ammunition. Twenty-five persons were injured during these clashes, including five men who were shot, while shops were set alight and livestock killed. The military region command and the public administration convinced the commander to leave the prefecture. Furthermore, staff of the country office came across a suspect in the reception area of a police station whose feet had been shackled with iron rings. A criminal investigation officer explained that the suspect had been shackled to prevent him from escaping, because the police station did not have a holding cell. The staff remarked on the inhuman nature of the practice, and the rings were removed from his feet.

C. Right to freedom and security

21. The right of the individual to freedom and security is recognized by international human rights instruments, namely the Universal Declaration of Human Rights (art. 3) and the International Covenant on Civil and Political Rights (art. 9), and by the Guinean Constitution (art. 9). The right to freedom is a pillar of human rights; the deprivation of that right must be justified by a procedure established by law.

22. In the course of the year, staff of the country office made 102 visits to places of detention, including prisons and police custody centres, and recorded 26 cases of arbitrary arrest and 62 cases where the maximum period for police custody, 48 hours, was exceeded. Thanks to the office's intervention and its arguments in their favour, 74 persons were released, including 22 minors and 7 women.

23. The country office reports that the poor detention conditions described in the previous report saw no improvement in 2016. The prison construction and renovation work begun in 2014-2015 is currently suspended. Overcrowding, squalor, lack of health care, malnutrition and undernourishment have increased significantly, including for women and children. In the vast majority of prisons, including the main prisons in Conakry and Kindia, many women are detained in cramped facilities, where nothing is done to take their particular needs into account. Juvenile wings and cells are also occupied by adults, some of

whom are accused of serious offences. The prison authorities have explained this situation by citing the high number of detainees and the lack of space.

24. In May, medical examinations given to detainees in Conakry prison detected 56 cases of beriberi, an illness that has led to the death of one inmate. Two of the caterers appointed by the Ministry of Justice to provide food for detainees informed the Office of the United Nations High Commissioner for Human Rights that they were no longer able to feed detainees to an acceptable standard because they had not been paid for several months. The same situation has been observed in the country's other prisons. The country office found five detainees in Guinée forestière who were suffering from paralysis of the legs. According to the detainees and the prison authorities, the paralysis was linked to various factors, including a lack of vitamins in their diet; overcrowding, which prevented recreational activities; and infrequent medical check-ups. The country office also noted shortages in the pharmacies at the Yomou and Lola prisons, leaving detainees without appropriate medical care. The judicial and prison authorities request support for partners operating in the area of health.

25. The country office is beginning to observe the positive effects of its awareness-raising sessions conducted through radio broadcasts and presented by human rights defenders. Indeed, citizens are submitting increasing numbers of cases to the country office through the monitors of the Office of the High Commissioner for Human Rights. These monitors are members of civil society whom the Office has trained to track the human rights situation during elections. For example, a group of parents contacted the country office after their children (seven young boys in total) were questioned by officers of mobile squadron No. 10 in Nzérékoré, who demanded payment of 100,000 Guinean francs (US$ 12) per child as a "summons fee".

26. The country office's intervention allowed the authorities to take over the case and to ensure compliance with the relevant procedures.

D. Right to health

27. The Ebola virus disease, which had a significant impact on Guinea between 2014 and 2016, highlighted the weaknesses in the country's health system. In March, after more than four months without a new case, the illness reappeared in Guinée forestière, causing the deaths of seven persons, including three women. The disease was contained by stepping up awareness-raising campaigns, particularly those aimed at women, who, according to partial statistics, are disproportionately affected by the disease, and by implementing isolation measures. The health authorities have launched a vaccination campaign for contact persons and health workers on the front line in the fight against the virus. In August, the World Health Organization declared the end of the Ebola epidemic in Guinea.

28. As part of the post-Ebola resilience plan that the country is currently implementing with the assistance of development partners, general reforms to the health system have begun. The Donka University Hospital in Conakry, the largest hospital in the country, has been undergoing renovations since 2015. The Government has also begun work to build improved health centres in Conakry and other areas of the country to facilitate the rapid treatment of diseases with the potential to cause an epidemic.

29. In August, the results of the competitive examinations organized in 2015 to recruit 2,950 health workers to the public sector were published.

30. In November, the first stone was laid in the construction of the Pasteur Institute. The Institute will permit the analysis of samples of infectious diseases; the lack of such a facility led to the rapid spread of Ebola between March 2014 and August 2016.

E. Fight against impunity

31. Despite the notable efforts made by the Government to reform the justice and security sectors, impunity remains a major challenge. In his previous report, the High Commissioner reported that many criminal cases involving law enforcement officials remained pending before the courts. At the time of the present report's publication, no progress had been recorded in those cases. Despite regular summonses, the three gendarmes mentioned in cases involving violations of the right to life and acts of torture continue to refuse to appear before the courts, claiming that their superiors have not authorized them to do so.

32. In April, following the dissemination on social networks of images depicting acts of torture and inhuman and degrading treatment inflicted by officers of Crime Squad No. 8, located in the Kakimbo forest in the commune of Ratoma, Conakry, on a young man suspected of involvement in an armed attack, the Ministry of Security and Civil Protection suspended the 12 officers concerned, among whom were both gendarmes and police officers. Human rights defence associations have lodged a complaint with the courts on behalf of the victim and have brought civil actions.

33. The Judicial Investigation Directorate of the gendarmerie received a request for judicial assistance from the prosecutor's office at the Dixinn court of first instance; it began to question the alleged perpetrators of these human rights violations, but then brought proceedings to a halt without explanation. A criminal investigation officer questioned by the Office of the High Commissioner for Human Rights claimed that the proceedings were halted on the instructions of the authorities, without providing more details. The Ministry of Security and Civil Protection lifted the suspension of the alleged perpetrators of these acts of torture, thus allowing them to resume their duties. However, the complaints remain pending before the courts.

34. In the days that followed the events of June 2016 involving the commander of the infantry camp in the prefecture of Mali, the Chief of General Staff of the Armed Forces relieved the officer of his duties. The Labé court of first instance and the military court opened a judicial investigation. The Minister of Justice attended the scene to determine the facts. The country office deployed a team on the ground and reported on these events to the competent authorities and recommended a number of measures. However, to date, the legal proceedings remain pending before the courts, and the victims are still awaiting justice.

35. Other major cases of mass human rights violations are yet to be dealt with. The case relating to the events of 28 September 2009, during which more than 150 persons were killed and more than 100 women raped, remains pending before the courts. Despite the notable progress made in the investigations, particularly the charging of 14 persons, including Captain Moussa Dadis Camara and General Mamadouba Toto Camara, the President and Vice-President of the junta in power at the time of the events, and the willingness of the Guinean authorities at all levels to cooperate with the international community, particularly the International Criminal Court, the victims are yet to obtain justice. Moreover, some of those charged with crimes against humanity by the courts continue to occupy positions of significant responsibility. For example, in March, the Head of State appointed a general who had been charged in relation to this case to the post of Governor of Conakry. According to the judicial authorities, the trial could not go ahead in 2016 because two key individuals could not be questioned.

36. Victims' associations commemorated the seventh anniversary of the events of September 2009 in the hope that in 2017 a fair trial will be held that leads to the sentencing of the perpetrators of these crimes and to reparations for violations suffered. Furthermore, 4 of the 14 persons charged are in pretrial detention, 2 of them since 2010, thus constituting arbitrary detention under the Code of Criminal Procedure, which fixes the maximum

duration of pretrial detention at 12 months for most offences and 24 months for more serious offences such as paedophilia, international drug trafficking and endangering State security.

37. The case of the alleged attack on the Brazilian company Zagope by villagers from Zogota in the region of Nzérékoré, Guinée-Forestière, and the attack by defence and security forces against inhabitants of that village on the night of 3 August 2012, remains pending.

F. Administration of justice and conditions of detention

38. In July, the National Assembly adopted new legislation, a new Criminal Code and a new Code of Criminal Procedure, which were promulgated in October. This legislative reform reflects major progress in many areas. A definition of torture that complies with the definition contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was introduced for the first time. The new Criminal Code incorporates into Guinean law the provisions of many international human rights instruments, such as the Rome Statute of the International Criminal Court, and the observations of treaty bodies, including the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women.

39. The death penalty does not feature in the new Criminal Code; the Code no longer provides for the punishment of any offence by that penalty.

40. This reform also confirmed the June 2015 reorganization of the judiciary, which aimed to bring the justice system closer to the people and to reduce the long periods of pretrial detention caused by the failure of the assize courts to sit regularly. The two assize courts, which previously sat in Conakry and Kankan and which were competent to rule on criminal cases, have been disbanded in favour of courts of first instance in each prefecture, including three in Conakry, which are now competent to rule on such cases.

41. However, this reorganization has yet to take effect. In August, the principal prosecutor's office at the Conakry court of appeal wrote to the Indictments Chamber to formally request that it no longer issue committal orders committing defendants to the assize courts. However, most courts of first instance lack the staff, premises and financial and logistical resources to function properly, consequently placing accused persons in a legal impasse. Hundreds of accused persons are currently being held in prisons around the country without knowing when they will stand trial, the court competent to try them having been disbanded in favour of new courts that are not yet operational.

42. For example, in December 2016 the Conakry prison, which houses three-quarters of detainees, held 1,643 persons, including 643 convicted persons, 67 women and 128 minors. Some accused persons have been awaiting trial for more than 10 years, a situation constituting arbitrary detention (see paragraph 36).

43. The weakness of the justice system has meant that many citizens have lost confidence in it. Revenge and mob justice are increasing at an alarming rate in Guinea. The country office has been informed of a total of 17 cases of persons (all men) who were allegedly killed as a result of mob justice in 2016, including five persons who were abducted from the security services to be lynched. In June, five suspected motorcycle thieves were burned alive by an angry crowd in Nzérékoré. In March, two young men met the same fate, for the same reason, in Macenta, in the administrative region of Nzérékoré, Guinée forestière. Similar cases of mob justice have been observed in the capital, Conakry; in Dabola, Siguiri and Kankan in Haute-Guinée; and in Mamou and Labé in Moyenne-Guinée.

44. The perpetrators of these lynchings explain their actions by their lack of trust in the justice system. Some of the suspected criminals killed by the population were allegedly repeat offenders who had received long prison sentences, but who had been released before completing them. Others had been arrested and handed over to the security services or the justice system, but had been released without trial.

45. These lynchings are ordered and carried out by ordinary citizens who attack police, gendarmerie, prison and justice system premises to remove suspects and accused persons before killing them, with complete impunity.

G. Gender-based violence

46. In his previous report, the High Commissioner recommended that Guinea strengthen its strategies to combat female genital mutilation, including excision, and to combat all forms of discrimination against women and girls. In August, the Prime Minister launched a national campaign against excision, which affects 97 per cent of Guinean women and girls according to the latest national demographic and health survey, carried out in 2012.

47. Despite the efforts of the Government and its national and international partners, gender-based violence remains a major cause for concern in Guinea. At the national level, in 2016 the Office for the Protection of Gender, Children and Morals recorded 643 cases of gender-based violence, including 117 cases of rape. Of those 117 cases, 97 were committed against minors, 71 of whom were girls. More than 10 cases of rape, in all of the country's natural regions, were submitted to the country office in 2016. The majority concerned girls aged from 2 to17 years and were committed by a family member, neighbour or teacher. The suspected perpetrators in these cases were arrested, brought before the courts and are awaiting trial. Staff of the country office met with the Office for the Protection of Gender, Children and Morals to explore why young girls aged up to 13 years are the most commonly targeted group. The Office is currently conducting a study into the causes of such violence.

48. However, in many of the cases of rape reported to the country office, proceedings are abandoned because of the following reasons: shortcomings in the security services; the mediation and influence of parents, public figures, religious leaders, politicians or military chiefs; and arrangements between victims, perpetrators, security services or judges, in violation of the provisions of article 1 of the Code of Criminal Procedure.

49. In July 2016, the Government made a statement during a campaign launch workshop and in the press asking all authorities to ensure that no cases of excision occurred during the school holidays. However, the country office noted that excision camps were held in most villages in Guinée forestière. Despite a number of complaints and trials, the sentences handed down remain lenient and are limited to suspended prison sentences and fines.

IV. Cooperation to promote and protect human rights

A. Transitional justice and national reconciliation process

50. In 2016, the country office of the United Nations High Commissioner for Human Rights in Guinea made a significant contribution to the transitional justice process, which is intended to allow Guinea to shed light on its past, allocate responsibility, redress wrongs

and undertake actions to ensure that human rights violations are not repeated.[1] The country office provided expertise in developing and validating national consultation tools and contributed to the success of the various stages of the national consultations, from the development of the project through to the dissemination of the recommendations.

51. From 15 to 25 February, the country office took part in the organization of national pre-consultation sessions in Conakry, Boké and Kindia. This exercise made it possible to test the tools that had been developed and to recommend ways of improving them. From 7 March to 11 April, the country office was involved in providing technical training to the international firm recruited to ensure that the national consultations, which took place in the seven administrative regions of the country, were in line with relevant existing international standards. Following the consultations, the Provisional Commission for Reflection on National Reconciliation, with technical support from the country office, held a national workshop on 31 May to present the final report on the national consultations. With regard to the participatory nature of the consultations, the country office took part in the information session for civil society and professional media organizations that was held from 13 to 27 June to publicize the results of the national consultations to the general public. Throughout the process, the country office held discussions with officials of victims' associations and encouraged them to pool their resources and work together to defend their rights.

52. On 29 June, the Provisional Commission for Reflection on National Reconciliation organized an official ceremony in Conakry to present to the President of the Republic the interim report on the national consultations in support of the national reconciliation process in Guinea. The contribution made by the country office to the organization of the national consultations was highly appreciated by all the stakeholders involved.

53. Furthermore, from 26 to 29 July, the country office organized a training session for all members of parliament entitled "Strengthening parliament as a guardian of human rights and a guarantor of the national reconciliation process in Guinea contributes to peacebuilding". The subject chosen for the training session helped to raise legislators' awareness of their responsibilities in promoting and protecting human rights and of the need to shed light on the past and to allocate responsibility. At the end of the workshop, women parliamentarians committed themselves to bringing together political stakeholders, making quality contributions to the drafting and adoption of a law on the establishment of a truth commission and striving to better incorporate the human rights approach in parliamentary work.

B. Cooperation with international human rights protection mechanisms

54. On 2 and 3 June, the country office provided a coalition of non-governmental organizations (NGOs) involved in combating the trafficking and exploitation of children in Guinea with technical support in organizing and conducting a workshop on the planning of advocacy activities for the implementation of the recommendations made to Guinea by:

[1] According to the International Commission of Inquiry into the events of 28 September 2009, "in order to enable the people of Guinea to make a fresh start, it is also necessary to shed light on the painful past that Guinea has experienced since its independence, with a view to promoting national reconciliation. It is in fact impossible to promote reconciliation, with respect for each individual and each sector of society, without making the search for truth a prerequisite for this much needed exercise. This historical clarification has a number of benefits. In addition to relieving the suffering of victims, it would help lay the foundations for policies and mechanisms aimed at ensuring that the same mistakes are not made again".

(a) The Committee on the Rights of the Child (following consideration in 2013 of the second periodic report of Guinea on the implementation of the Convention on the Rights of the Child);

(b) The African Committee of Experts on the Rights and Welfare of the Child (following consideration in 2014 of the initial report of Guinea on the implementation of the African Charter on the Rights and Welfare of the Child);

(c) The Human Rights Council (following the second universal periodic review of Guinea in January 2015), particularly the recommendations concerning the rights of the child.

55. In May, the country office helped the Ministry of National Unity and Citizenship to prepare a technical note on the organization of a midterm review of the implementation of the recommendations of the second universal periodic review of Guinea in 2015. Through this technical note, the Minister sought support from the Government for implementation of those recommendations before the next deadline in 2019. The country office continued to provide technical support to the Ministry in organizing a national conference on human rights, scheduled to take place before the end of 2016, that would also include an implementation plan for the recommendations made in the course of the 2015 universal periodic review and those made by the various treaty bodies.

56. During the reporting period, the country office encouraged the various stakeholders to provide input and formulate recommendations for the dialogue to be held at the thirty-fourth session of the Human Rights Council on the follow-up to resolution 31/29, at which particular emphasis would be placed on the fight against impunity.

57. With regard to special procedures, the Independent Expert on the enjoyment of human rights by persons with albinism accepted an invitation to visit Guinea in the second half of 2016.

C. Strengthening the rule of law

58. As in 2015, the country office of the United Nations High Commissioner for Human Rights in Guinea continued to support Guinea in strengthening the rule of law, including in the areas of security, justice and governance of the mining sector.

59. As part of the security sector reform process, technical support was provided in partnership with the Strategic Orientation Commission for Security Sector Reform. This support resulted in human rights being incorporated into induction training programmes for the defence and security forces (police and gendarmerie academies, military schools and training centres in Guinea) through the development and validation of four training modules in human rights and the training of a pool of 40 trainers and in-service instructors at these institutions. The country office provided technical expertise to the Ministry of Security and Civil Protection in drafting and publishing a code of ethics for the national police in Guinea. According to the provisions of Decree No. D/2016/262/PRG/SGG of 25 August 2016, which governs this code, the national police is required to perform its duties in accordance with the Universal Declaration of Human Rights, international conventions, the Constitution and the law.

60. From 9 to 12 August, the country office, in accordance with the recommendations made by the "Defence" Sectoral Committee on Security Sector Reform, held an information and awareness-raising workshop in Samoreya camp in Kindia for 178 members of the Gangan battalion, including three women, who were awaiting deployment on an international peacekeeping mission. During this capacity-building exercise, which was organized in collaboration with the Chief of Staff of the Armed Forces and the International

Committee of the Red Cross, with the support of the United Nations Peacebuilding Fund, participants were made aware of various issues relating to human rights, international humanitarian law in the context of peacekeeping, the fight against gender-based violence (with an emphasis on the relevant guidelines issued by the Secretary-General of the United Nations) and the protection of civilians.

61. With regard to the reform of the justice sector, the country office continued to contribute to the work of the national commission responsible for revising the Criminal Code, the Code of Criminal Procedure, the Code of Military Justice and the Civil Code.

62. The revised Criminal Code and the revised Code of Criminal Procedure were adopted on 4 July by the National Assembly and promulgated on 7 October by the President of the Republic. They take full account of human rights and specific issues related to gender-based violence, in accordance with the relevant international legal instruments to which Guinea is a party.

63. The country office focused on strengthening coordination mechanisms for stakeholders working to combat gender-based violence. To this end, it revitalized regional committees for the prevention and management of gender-based violence in the regions of Nzérékoré and Kankan. This approach made it possible to monitor the actions of stakeholders in the fight against such violence, develop partnerships, expand existing mechanisms and strengthen capacities for collecting, processing and exchanging information.

64. The country office also conducted a campaign to raise women's awareness of their role in promoting and protecting human rights in general and fighting gender-based violence in particular. The women concerned, who were selected from women's groups, have begun to raise the awareness of rural women through a media-supported campaign that has reached over 150 individuals.

65. The country office is also engaged in drafting and finalizing the United Nations Peacebuilding Fund project "Support for justice sector reform and the fight against impunity in Guinea" in partnership with the United Nations Development Programme. Developed in response to needs that had repeatedly been expressed by the Government of Guinea, this project focuses on three main goals: making the military justice system operational, improving the criminal justice system and establishing access to justice, especially for women and minors.

66. In the area of mining sector governance, the country office provided technical and financial support in March, April and July to the National Assembly commissions on mining and the environment to enable them to conduct two field visits to Haute-Guinée (Kouroussa, Kankan, Siguiri and Dinguiraye) and Basse-Guinée (Conakry, Boké, Boffa, Dubreka and Forécariah), which are considered to be risk areas. These field visits enabled the members of these commissions to monitor the implementation of national legislation on mines and the environment, transparency in mineral-resource management and the mainstreaming of human rights in the protection of the environment and mining communities. In September and October, the country office undertook capacity-building activities in each administrative region of the country aimed at members of consultation committees in mining towns to ensure that greater account was taken of human rights concerns in conflict prevention and management in mining areas in Guinea. The participation of regional governors in each of these regional activities reflected the importance of human rights issues in mining areas in view of their contribution to the national economy.

67. As to the national independent human rights institution, during the reporting period it was involved in providing training to law enforcement officials on the occasion of the United Nations International Day in Support of Victims of Torture in June and then to local

consultation committees in mining towns in October. Lastly, during the session held to approve human rights training programmes for the defence and security forces, the national independent human rights institution made a number of important contributions, particularly in relation to the issues of detention and law enforcement. However, the capacity of this institution must be strengthened to ensure its operational independence and to enable it to produce reports under its mandate, on the human rights situation, in accordance with article 29 of the Act on its organization and operation.

68. The celebration of the United Nations International Day in Support of Victims of Torture, on 26 June, was an opportunity for the country office to raise awareness among law enforcement officials (members of the armed forces, the police, gendarmes, judges) of issues related to torture and the Government's commitment to tackling this practice in Guinea.

69. With respect to action to combat violence against women, the country office, in partnership with the international polyclinic and the forensic institute of Conakry, held a training workshop in July for 54 criminal investigation officers and judges, including six women stationed in Conakry, on their role in tackling gender-based violence with a view to enhancing the ability of the criminal justice system to address the issue of medical certificates.

70. The country office played an active role in reviewing the United Nations joint programme for the administrative region of Kankan. The review was conducted from 6 to 10 June in the prefectures of Siguiri, Kankan, Kérouané and Mandiana by a team from the inter-agency monitoring and evaluation group, which is made up of representatives of the offices of the United Nations Resident Coordinator, the United Nations High Commissioner for Human Rights, the Food and Agriculture Organization of the United Nations, the United Nations Development Programme and the United Nations Children's Fund in Conakry and the United Nations system team in Kankan (the offices of the United Nations Children's Fund, the United Nations Development Programme, the United Nations Population Fund, the World Health Organization and the World Food Programme in Kankan). This exercise made it possible to identify the strengths and weaknesses of the joint programme and to better target the support that will be provided by the United Nations to the development of the region (including with regard to specific human rights issues) in the years to come.

71. During the reporting period, the country office, together with members of the United Nations country team, contributed to the development of the common country assessment for 2016 and the drafting of the United Nations Development Assistance Framework 2018-2022. Within this framework, the country office ensured compliance with the principles of United Nations programmes, including by ensuring the incorporation of a human rights and gender-based approach.

D. Support for civil society organizations

72. The country office has maintained and strengthened its partnership with civil society organizations and its support for them. Actions have focused on raising awareness and building the capacities of civil society stakeholders and the technical, logistical and financial support that they are given. Particular attention should be drawn to the following actions:

(a) The organization of a training workshop on techniques for conflict prevention and management for members of the joint security and confidence-building units along the northern border of Guinea (Moyenne-Guinée) and in Labé and Mamou from 18 to 26 August, which was run by the Mano River Women's Peace Network;

(b) The provision of technical support to the campaign to raise awareness of the promotion and protection of women's rights, organized by the Fondation internationale Thierno et Mariam Thierno, from January to April, in various communes in Conakry, in partnership with the German embassy and the country office;

(c) The provision of technical support to the strategic planning workshop for the selection of women candidates in local elections, organized by the National Democratic Institute with financial support from the United States Agency for International Development and the United Nations Development Programme in May;

(d) The provision of technical support to the NGO Alliance pour la promotion de la gouvernance et des initiatives locales (Alliance to promote governance and local initiatives) over the course of three awareness-raising sessions on human rights and youth employment attended by 70 participants;

(e) The provision of technical support to the NGO Jeunesse-Ecole-Avenir (Youth-School-Future) during a session for 200 young people to raise awareness of human rights and peace held in March and participation in a session to raise awareness of democracy and African leadership in conjunction with 15 members of the Catholic association Enseignants et éducateurs de Guinée (Teachers and educators of Guinea);

(f) The provision of technical and financial support to a consortium of 35 human rights NGOs engaged in advocating for the abolition of the death penalty and the adoption of the draft criminal code, the draft code of criminal procedure, the draft code of military justice and the draft civil code, as revised by the National Assembly at its legislative session in April;

(g) The organization in August of two training workshops for 38 human rights defenders and members of human rights NGOs operating in the 15 prefectures of Guinée forestière and Haute-Guinée;

(h) The organization in October of a training workshop for 35 members and officers of the NGO Action pour la protection des droits de l'homme (Action for the Defence of Human Rights), operating in the prefecture of Lola in the Nzérékoré region.

73. Lastly, the country office organized several consultation meetings and coordination actions on its premises with NGOs that addressed the current sociopolitical situation from a human rights perspective, the activities planned in support of the national consultations for reconciliation in Guinea and the support afforded to the local election process. These meetings provided an opportunity to share expertise between civil society organizations and the country office and to facilitate the monitoring of reported cases of human rights violations.

V. Conclusions and recommendations

74. **The High Commissioner acknowledges the efforts made by the Government in implementing its action plan on national reconciliation. It has conducted inclusive and participatory national consultations throughout the national territory.**

75. **The Government has also initiated significant reforms of its criminal justice system that take many human rights concerns into account. The most important aspects of these reforms include the abolition of the death penalty, the introduction of a definition of torture and an appropriate penalty for that offence, the abolition of magistrate's courts and the establishment of new courts of first instance and courts of appeal.**

76. However, the Office of the High Commissioner for Human Rights notes that little progress has been made in the fight against the impunity enjoyed by the perpetrators of human rights violations, particularly those who belong to the security or defence forces. Impunity also remains a feature of the fight against gender-based violence, including female genital mutilation, the perpetrators of which have hardly ever been brought before the courts.

77. In the light of the observations contained in this report, the Office of the High Commissioner for Human Rights recommends that the Government of Guinea:

(a) Strengthen the fight against impunity at all levels, including among members of the defence and security forces, specifically by ensuring that trials relating to the events of 28 September 2009 go ahead;

(b) Suspend from duty the individuals charged in cases relating to the events of 28 September 2009, pending the completion of the judicial process;

(c) Give effect to the reorganization of the judiciary to allow trials to be held on a regular basis and to end wrongful pretrial detention;

(d) Raise public awareness of the explicit ban on taking the law into one's own hands and prosecute the perpetrators of mob justice;

(e) Strengthen the implementation of strategies for combating female genital mutilation, including excision, and all forms of discrimination against girls and women;

(f) Train members of the judiciary in the obligation to respect gender equality when formulating their judgments, particularly those decisions which concern gender-based violence (such as female genital mutilation, etc.);

(g) Implement the recommendations made by the Provisional Commission for Reflection on National Reconciliation on the basis of the national consultations, in particular the recommendation concerning the establishment of a body responsible for conducting the national reconciliation process;

(h) Provide the national independent human rights institution with the financial and logistical resources that it needs to function effectively.

78. The Office of the High Commissioner for Human Rights recommends that the international community:

(a) Maintain the assistance needed to continue the reform of the defence and security forces and the judiciary;

(b) Continue providing assistance to the Government for the post-Ebola recovery plan;

(c) Provide the Government with the necessary financial and technical assistance to support its efforts to abolish female genital mutilation, including excision, and to enhance the realization of women's rights.